

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY NAIROBI

C O N F I D E N T I A L STATE 169050

FOLLOWING SENT SECSTATE WASHDC INFO NEW DELHI MOSCOW DUBLIN
SINGAPORE MEXICO SOFIA TEHRAN USUN NEW YORK FROM GENEVA
22 AUG 73:

QUOTE C O N F I D E N T I A L GENEVA 4496

E.O. 11652: GDS

TAGS: PBOR, UN

SUBJECT: LOS: LIAISON REPORT

1. INDIA. DR. JAGOTA QUESTIONED US PURPOSE IN PRO-
POSING CHANGES IN IMCO STRUCTURE AND SOUGHT ELABORATION
OF US PROPOSAL. HE SAID INDIA COULD NOT ACCEPT PRIN-
CIPLE OF "TACIT ACCEPTANCE AND CONSIDERS OUR IMCO
PROPOSAL PREMATURE COMING BEFORE LOS CONFERENCE.
JAGOTA SAID US IS, IN EFFECT, STOPPING LOS CONFERENCE
FROM SETTING UP OWN VESSEL POLLUTION CONTROL AUTHORITY
BY PROPOSING MEPC. US DELOFFS EMPHASIZED OUR DESIRE
TO UTILIZE EXISTING INTERNATIONAL ORGANIZATIONS
WHENEVER POSSIBLE AND DRAW ON IMCO EXPERTISE. JAGOTA
MENTIONED POSSIBLE ROLE FOR UNEP AND DELOFFS NOTED UNEP
PROBLEMS TRYING TO GET WORK PROGRAM UNDERWAY AND WOULD
ONLY BE ABLE TO ASSIST IN MONITORING. JAGOTA COMMENTED
ON US LEADERSHIP IN WORLD AFFAIRS AND THEREFORE HAD
RESPONSIBILITIES IN SPEECH AND ACTION IN INTERNATIONAL
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FORUM. HE ALSO NOTED INDIA OPPOSITION TO COMPULSORY DIS-

PUTE SETTLEMENT CITING A HIJACKING INCIDENT AND THEIR DISPUTES WITH PORTUGUESE AS EXAMPLE.

2. USSR. SOURCE STATED BALTIC STATES WILL HOLD MEETING IN HELSINKI THIS NOV TO DISCUSS DRAFT CONVENTION BEING DRAFTED BY SWEDEN ON POLLUTION FROM ALL SOURCES. SOVS APPARENTLY SEEK CONTROL OVER OUTSIDE STATES AS WELL.

3. SINGAPORE (A) SOURCE (CHEOK) INDICATED LAND-LOCKED (L/L) STATES WORK CLOSELY TOGETHER ALTHOUGH HE ACKNOWLEDGED CONSIDERABLE DIFFERENCES WITHIN GROUP AND HE WAS UNSURE HOW THEY WOULD REMAIN AS BLOC. CHEOK NOTED HOW L/L BROKE WITH REGIONAL GROUPS AT LAST GA WHEN DIRECT INTERESTS AFFECTED AND OBSERVED EVEN NJENGA WAS UNABLE TO DISSUADE CERTAIN AF STATES FROM CO-SPONSORING L/L RES. CHEOK BELIEVES OAU RES WEAKENED L/L SOLIDARITY AND MANY L/L STATES OBJECTED TO BOLIVIAN PROPOSALS.

(B) CHEOK DISCUSSED ELEMENT OF PERSONALITIES IN LOS NEGOTIATIONS NOTING CERTAIN DELEGATES HAD BECOME SO CLOSELY IDENTIFIED WITH INDIVIDUAL POLICIES THAT THEY WOULD NOT CHANGE EVEN WHEN SHOWN IT WAS IN THEIR NATIONAL INTEREST TO DO SO. EXAMPLE CITED WAS ENGO AND CHEOK SAID HE WAS PLACING OWN CAREER BEFORE CAMEROON INTERESTS. HE INDICATED EMBAYA, TECH ADVISER TO PRE-SIDENCY, WAS MAN TO WATCH IN CAMEROON DELEGATION. CHEOK SERIOUSLY CONCERNED AT POSSIBILITY OF DELAY IN CONFERENCE NOTING SMALL STATES WOULD SUFFER.

4. KENYA. NJENGA STATED HIGHLY MIGRATORY SPECIES SHOULD BE GOVERNED BY INTERNATIONAL BODIES WHO WOULD ESTABLISH BOTH CONSERVATION AND ALLOCATION REGULATIONS. FURTHER, SUCH REGULATIONS WOULD APPLY WHEN HIGHLY MIGRATORY SPECIES ENTERED ECONOMIC ZONE AS ESPOUSED BY KENYA. ENFORCEMENT AUTHORITY OF INTERNATIONAL REGULATIONS IN ECONOMIC ZONE IS COASTAL STATE'S. (COMMENT: THIS INDICATES CHANGE IN KENYA POLICY. TWO YEARS AGO THEY INSISTED ALL LIVING RESOURCES IN ECONOMIC ZONE

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ARE UNDER FULL COASTAL STATE CONTROL, CONSERVATION, ALLOCATION AND ENFORCEMENT.)

5. IRELAND (OBSERVER). SOURCE INDICATED PREFERENCE FOR LIBERAL CONSENT REGIME FOR SCIENTIFIC RESEARCH (SR) IN ECONOMIC ZONE. IRELAND VERY INTERESTED IN ECONOMIC POTENTIAL OF ZONE AND REALIZES STRINGENT REGULATIONS WOULD LIKELY DISCOURAGE SR. THEY WANT RESULTS AND,

EXCEPT FOR FISHERIES, ARE DEPENDENT UPON OTHERS TO CONDUCT IT. SOURCE NOTED SOME RESEARCHERS ON THEIR SHELF HAVE NOT PROVIDED THEM WITH FULL DATA SO CONSENT REGIME WOULD GIVE NECESSARY LEVERAGE.

6. MEXICO (A). VALLARTA, AT HIS REQUEST, WAS BRIEFED ON US POSITION ON INTERNATIONAL STANDARDS, POLLUTION ZONE, AND MILITARY EXEMPTION PROVISIONS. HE, IN TURN, VOICED BOTH MEXICO'S AND GROUP OF 77 POINTS OF VIEW, THOUGH NOT ALWAYS CLEAR WHICH. HE CITED 77 ARGUMENT THAT POLLUTION ZONE REQUIRED TO PROTECT RESOURCES IN RESOURCE ZONE AND COASTAL STATE CS NEEDED RIGHT TO SET STANDARDS HIGH ENOUGH TO PROTECT AGAINST SHIP POLLUTION. HE RECOGNIZED MERIT OF INTERNATIONAL STANDARDS BUT DID NOT CONSIDER THEM MARKETABLE. HE NOTED LITTLE CONFIDENCE IN IMCO AND SAW LITTLE FUTURE IN MEPC.

(B) VALLARTA SAID MEXICAN DELEGATION HAD BEEN MISGUIDED IN AGREEING TO MILITARY EXEMPTION AT OCEAN DUMPING CONFERENCE. HE COULD AGREE TO EXEMPTION FROM CONVENTION FOR CERTAIN ASPECTS OF INTERNATIONAL STANDARDS FOR WHICH MILITARY VESSELS COULD NOT APPLY (E.G., CONSTRUCTION STANDARDS), BUT NO GENERAL EXEMPTION. WHERE SERIOUS POTENTIAL PROBLEMS OF UNILATERAL CS ACTION WERE OUTLINED, SUCH AS REQUIRING MILITARY VESSEL TO LEAVE ZONE IF SOVERIGN IMMUNITY PROVISIONS WERE USED RATHER THAN MILITARY EXEMPTION, VALLARTA BELIEVED VESSEL SHOULD PROCEED AS INTENDED AND ALLOW DISPUTES SETTLEMENT TO RESOLVE.

(C) VALLARTA PLEASED WITH US QUOTE MOVEMENT TOWARD ECONOMIC ZONE UNQUOTE AND BELIEVES A FINAL BARGAIN POSSIBLE -- US ACCEDE TO ECONOMIC ZONE AND CS NOT INSIST ON POLLUTION ZONE
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AND WOULD CONCUR IN TRANSIT RIGHTS IN STRAITS AND MILITARY EXEMPTION FOR WARSHIPS.

7. BULGARIA. YANKOV STATED WHILE US AND SOVS RELUCTANT TO DISCUSS IMPORTANCE OF PASSAGE OF WARSHIPS, BULGARIA WAS NOT. TRANSIT RIGHTS FOR WARSHIPS ESSENTIAL IN POWER BALANCE. GOB POSITION NOT FIRM ON EXCLUSIVE INT STANDARDS FOR MARINE POLLUTION AND NO VIEW ON CS COMPETENCE.

8. IRAN. KAZEMI SEES NEED FOR MORE PREPARATORY WORK IN SBC AND DOES NOT SEE HOW CONFERENCE CAN BEGIN IN APRIL. WHILE PERSONALLY FAVORING PREPARATORY CONFERENCE (FEB/MAR) HE DID NOT BELIEVE GOI WOULD ALLOW LEGAL ADVISER'S ABSENCE FOR GA, THEN AALCC MEETING IN TOKYO

IN JAN, GROUP 77 NAIROBI IN FEB AND THEN PREP-
RATORY SESSION, AND HE BELIEVES OTHER STATES HAVE SIMILAR
PROBLEMS - EVEN FRENCH. CONSIDERING COMPLEXITY AND
PRIOR EXPERIENCE HE CONSIDERS PROGRESS IN SBC IS SATIS-
FACTORY AND DEPLORED "US TOO MUCH IN HURRY". WHETHER
OR NOT PREP MTG HELD KAZEMI BELIEVES "SOMEONE WILL
HAVE TO PUT POSITIONS IN ORDER" FOR USE WHEN CONFERENCE
BEGINS. OTHERWISE PROCESS OF EDUCATING NEW
PARTICIPANTS WOULD CONSUME EXCESSIVE TIME, EVEN MANY
PRESENT PARTICIPANTS CONFUSED ABOUT WHO TAKING WHAT
POSITION. BASSIN UNQUOTE RUSH

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